



May 10, 2017

**Via Fax (585-613-4065)**

Hon. Michael A. Telesca  
United States District Judge  
100 State Street  
Rochester, NY 14614

**Re: JDS Group Ltd. v. Metal Supermarkets Franchising American, Inc., No. 6:17-cv-6293**

Your Honor:

Further to my conversations with your law clerk Colleen Holland, we represent the defendant in the reference action. We respectfully request leave to file a response to the pending motion for a temporary restraining order and preliminary injunction until May 19, 2017. My client represents to the Court that it will not seek to install or implement the Metal Tech system with respect to the plaintiff's franchised stores until at least May 30, 2017. If there is a further delay, we will so advise the Court.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Rubinger".

James C. Rubinger

cc: W. Michael Garner, Esq. (via email)  
Robert B. Calihan, Esq. (via email)

SO ORDERED

A handwritten signature in black ink, appearing to read "Michael A. Telesca".

MICHAEL A. TELESCA  
United States District Judge

DATE May 10, 2017

Plave Koch PLC  
12005 Sunrise Valley Drive, Suite 200  
Reston, Virginia 20191  
United States of America

[www.PlaveKoch.com](http://www.PlaveKoch.com)

James C. Rubinger  
[JRubinger@PlaveKoch.com](mailto:JRubinger@PlaveKoch.com)  
direct phone 703-774-1208  
direct fax 703-774-1201